

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

DAVID PONCE,

Plaintiff,

v.

HANFORD POLICE DEPARTMENT K-9
UNIT,

Defendant.

Case No. 1:21-cv-01045-DAD-BAM

ORDER GRANTING MOTION TO
PROCEED *IN FORMA PAUPERIS*
(Doc. 2)

ORDER DIRECTING PAYMENT OF
INMATE FILING FEE BY KINGS COUNTY
JAIL

Plaintiff David Ponce (“Plaintiff”) is a county jail inmate proceeding *pro se* in this civil rights action under 42 U.S.C. § 1983.

On July 2, 2021, Plaintiff filed a motion to proceed *in forma pauperis* pursuant to 28 U.S.C. § 1915, together with a statement of his inmate account at the Kings County Jail. (Doc. 2.) Plaintiff has made the showing required by § 1915(a) and accordingly, the request to proceed *in forma pauperis* will be granted. Plaintiff is obligated to pay the statutory filing fee of \$350.00 for this action. 28 U.S.C. § 1915(b)(1). Plaintiff is obligated to make monthly payments in the amount of twenty percent (20%) of the preceding month’s income credited to Plaintiff’s trust account. Kings County Jail is required to send to the Clerk of the Court payments from Plaintiff’s trust account each time the amount in the account exceeds \$10.00, until the statutory filing fee is paid in full. 28 U.S.C. § 1915(b)(2).

1 Accordingly, IT IS HEREBY ORDERED that:

2 1. Plaintiff's application to proceed *in forma pauperis*, (Doc. 2), is GRANTED;

3 2. **The Sheriff of Kings County Jail or his or her designee shall collect payments**
4 **from Plaintiff's prison trust account in an amount equal to twenty per cent (20%) of**
5 **the preceding month's income credited to the prisoner's trust account and shall**
6 **forward those payments to the Clerk of the Court each time the amount in the account**
7 **exceeds \$10.00, in accordance with 28 U.S.C. § 1915(b)(2), until a total of \$350.00 has**
8 **been collected and forwarded to the Clerk of the Court. The payments shall be clearly**
9 **identified by the name and number assigned to this action;**

10 3. The Clerk of the Court is directed to serve a copy of this order and a copy of
11 Plaintiff's *in forma pauperis* application on the Sheriff of the Kings County Jail, via the
12 Court's electronic case filing system (CM/ECF); and

13 4. The Clerk of the Court is directed to serve a copy of this order on the Financial
14 Department, U.S. District Court, Eastern District of California.

15 IT IS SO ORDERED.

16 Dated: August 6, 2021

17 /s/ Barbara A. McAuliffe
18 UNITED STATES MAGISTRATE JUDGE

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